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From: Rich Holland [mailto:rich@wonews.com]

Sent: Wednesday, February 23, 2005 4:05 PM

To: MLPAComments@resources.ca.gov

Subject: MLPAComments: comments on draft master plan framework

Attached (and pasted) are my comments on the framework.

Thanks,

Rich Holland  
Saltwater Editor  
Western Outdoor News

To: Chairman Isenberg and members of the Blue Ribbon Task Force

From: Rich Holland, Saltwater Editor, Western Outdoor News

re:comments on draft

Here are a couple comments on the draft document with some philosophical conclusions.

On page 3, Introduction, there is no mention of dollar contributions annually by sportfishing towards the regulation and maintenance of state's wildlife (which mainly goes to the maintenance of the salaries of the DFG).

There is also no mention of the OREHAP program, including the seabass hatchery and releases, not to mention funds generated by the stamp mandated for ocean anglers below Point Conception, or recent Bay stamp.

(Note: Do you see the way the divers reacted to the idea of fees < that's why rec anglers pay for a huge chunk of what the DFG does. Divers only have to kick in if they pull abs or shoot fish.)

Under the major head, "Recent Developments" p 8

The final paragraph reads, "In these and other ways, the MLPA reflects state-of-the-art understanding of the opportunities afforded by networks of marine reserves, marine parks, and marine conservation areas."

Talk about a non sequitur. At best the MLPA is our state's attempt to develop "marine reserves, marine parks, and marine conservation areas" and there's no call to break your arm patting your own back yet.

As reflected in the presentations by a couple of the scientists at the task force meeting Tuesday (Feb. 22) in Monterey, many of the assumptions of the MLPA are flawed and these are reflected in the draft framework.

For instance, there is no mention in the "Recent Developments" section of the massive species-directed (rockfish) spatial closures already in place in California waters thanks to federal intervention. As Dr. McCall pointed out, these species inhabit both state and federal waters.

To create networks of MPAs on the basis of trying to protect or enhance rockfish would, as McCall noted, call for very large reserves. The federal government has already done this and there has been severe socioeconomic impact. The framework should at least make note of this potential for redundancy and economic havoc.

McCall also brought up the MLMA and the lack of a "track record" on the part of the Fish and Game Commission as far as fisheries management plans. (A recent Market Squid plan focused on only that, not the effect of removing so much of the forage base from the environment. What happened to the ecosystem-based approach the DFG gives so much lip service to when it comes to MPAs?)

One reason the impact of rockfish time and depth closures on recreational fishermen has been so severe is the lack of science.

California Department of Fish and Game, despite the millions of dollars provided by recreational licenses and Sportfishing Restoration Act funds, did not monitor recreational catches, and, as McCall noted, has run only a few stock surveys. The "best available science" has meant draconian regulations that err on the safe side.

Yet they have the science and "state-of-the-art understanding" to site closure areas. It's no wonder this is not mentioned in the draft document.

Dr. Tundi Agardy's comments particularly point to the weakness of a narrow interpretation of the statute.

For instance, in Section 2. Design of MPAs and the MPA Network, p. 11, the framework grapples with the definition of network.

Paragraph 3 reads, "Although neither statute nor legislative history defines "network," the ordinary dictionary usage contemplates interconnectedness as a necessary characteristic of the term. The term "reserve network" has been defined as a group of reserves which is designed to meet objectives that single reserves cannot achieve on their own (Roberts and Hawkins, 2000). In general this definition also requires some direct or indirect connection of MPAs through the dispersal of adult and/or larval organisms. In some cases, larval dispersal rates are not known and oceanography or ocean current patterns are combined with larval biology to help determine connectivity."

>From contemplation of interconnectedness to an extremely narrow requirement of connection through larval dispersal, the rates of which are not known, is quite a leap.

As Agardy pointed out, getting all representative habitats and their replicates into protected areas is alone an unachievable task.

Then there's the consideration of land-based influences she so aptly brought to the table.

I think Dr. Agardy really gave you the key to do this right: create a framework that directs those who will choose the MPA sites to:

Find areas adjacent to institutions that will both help monitor, evaluate and enforce MPAs.

Find areas where land influences are minimal or at least have the cooperation of the urban and upstream institutions (governments) to minimize or control impacts.

Find areas where the combination of no go, no take, minimal or controlled impact, and open zones provide the mix of protection and recreation implicit in the statute and generate the kind of community support necessary to make the MPA effective.

You may notice I used the terms "zone" and "no go" as per Dr. Agardy.

One of the statute's failings is it pandered to other user groups like divers, surfer's etc. by promoting MPAs as recreation hubs or areas simply free of fishing. For true ecological protection, there should be areas left completely untouched, or no go zones.

Another shortcoming is the pandering of the statute, or at least those pushing a narrow (and immediate) interpretation, to what Dr. Agardy called the "scientific agenda."

Some noted we can look to the Channel Island's reserves for help with the MLPA Initiative. I say, yes, definitely learn from your mistakes. In that case the science team took over the process and the result was a patchwork of no take zones with no regard to displacement of effort and the differing needs of recreational and commercial fishermen. Those involved with the process admitted to overstating the fisheries benefits of the closures.

As another example, if you have read the PFMC's SSC white paper on the marine reserves, they note reserves designed purely for research would include closures of areas with poor habitat as well as the best. To meet all of the science goals outlined in the initiative is impossible.

To provide an MPA system that offers habitat protection, biodiversity and an ecosystem management approach that both preserves older fish species and provides recreation seems to be in reach.

With all due respect, it's the Blue Ribbon Task Force's job take the spirit of the law to make palatable policy out of what are outdated, misguided or unsupported directives in the statute.

Thanks for your time,

Rich Holland